

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 16-cr-20466
Hon. Matthew F. Leitman

v.

JARED PATRICK LOCKWOOD,

Defendant.

**ORDER DENYING MOTION FOR RECONSIDERATION UNDER RULE
60(B) (ECF #32) AND MOTION FOR DISCOVERY (ECF #33)**

In December of 2016, this Court sentenced Jared Lockwood in connection with his pleas of guilty to charges of manufacturing an unregistered destructive device and making a false declaration before a Federal court. On January 18, 2018, Lockwood filed a motion to vacate his conviction and sentence under 28 U.S.C. §2255 (ECF #21). The motion plainly lacked merit, and the Court denied it one week later — on January 25, 2018 (ECF #24). The Court later denied Lockwood's motion for a certificate of appealability (ECF #31). Lockwood has now filed a Motion for Reconsideration under Rule 60(b) (ECF #32) and a Motion for Discovery (ECF #32). The motions are DENIED.

Lockwood seeks relief under Rule 60(b) of the Federal Rules of Civil Procedure but makes no effort to show how he satisfies any of the bases for relief

set forth in that rule. Likewise, Lockwood has not cited any authority that supports his claimed entitlement to discovery.

Lockwood seems to argue that he suffered unfair prejudice when the Court denied his motion to vacate his conviction and sentence too quickly — before he had an opportunity to amend the motion to add a claim for ineffective assistance of counsel. But Lockwood has not cited any authority — and the Court is aware of none — for the proposition that a federal court must delay ruling on a motion because the moving party may have some unexpressed desire to amend the motion. And Lockwood has never set forth the basis of his purported claim for ineffective assistance of counsel, and thus the Court has no basis on which to conclude that the claim has any merit. That is a further reason that Lockwood is not entitled to relief.

For all of these reasons, Lockwood's pending motions (ECF ## 32 and 33) are DENIED.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 28, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 28, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764